

Message Text

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ACTION MC-02

INFO OCT-01 ARA-06 ISO-00 PM-04 DODE-00 EB-08 NSAE-00

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FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC PRIORITY 4242

INFO AMEMBASSY BERN

NATIONAL SCIENCE FOUNDATION POLAR WASHDC

C O N F I D E N T I A L SANTIAGO 2788

E.O. 11652: GDS

TAGS: MILI ESTC CI SZ

SUBJECT: REQUIREMENT FOR PERMISSION TO EXPORT IMAGE DISSECTOR
TO CHILE

REF: A) BERN 1413, B) STATE 71168, C) SANTIAGO 2503, D)
SANTIAGO 2690

1. ONE TEST OF GOOD GOVERNMENT IS ITS ABILITY TO RECTIFY
AN UNINTENDED INJUSTICE, UNDER GENERAL RULES WHICH ARE
TOO EXTENSIVE IN THEIR SCOPE.

2. I WOULD APPRECIATE YOUR RECONSIDERING IN THIS LIGHT
THE DECISION APPARENTLY TAKEN TO INFORM CERN THAT AN
IMAGE DISSECTOR, AN ARTICLE INCLUDED ON THE U.S. MUNITIONS
CONTROL LIST, WILL NOT BE LICENSED FOR EXPORT TO THE
EUROPEAN SOUTHERN OBSERVATORY (ESO) IN CHILE BECAUSE
OF THE CONSTRAINTS IN THE ARMS EXPORT CONTROL ACT.

3. I FIND IT IMPOSSIBLE TO BELIEVE THAT IT WAS THE
INTENT OF CONGRESS TO HAMPER THE WORK OF INTERNATIONAL
SCIENTIFIC ORGANIZATIONS OPERATING IN CHILE BECAUSE OF THE
MISDEEDS OF THE CHILEAN GOVERNMENT. PROHIBITING THE
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EXPORT OF AN IMAGE DISSECTOR FOR THE ESO WILL NOT
AFFECT THE GOVERNMENT OF CHILE IN ANY WAY. BUT IT WILL
HINDER THE OPERATIONS OF AN ORGANIZATION DEDICATED TO
IMPORTANT SCIENTIFIC RESEARCH, IN ASTRONOMY, IN A GEOGRAPHICAL
REGION SUPERBLY ENDOWED FOR THAT PURPOSE.

4. I WISH TO POINT OUT THAT ESO IS NOT THE ONLY IMPORTANT

OBSERVATORY LOCATED IN CHILE. AURA (NSF FINANCED) OPERATES AN OBSERVATORY AT CERRO TOLOLO, AND THE CARNEGIE INSTITUTION ONE AT LAS CAMPANAS. IF WE APPLY THE ARMS EXPORT CONTROL ACT RIGIDLY TO THESE OBSERVATORIES, WE MAY FIND THAT THEY TOO ARE INADVERTENTLY BUT IRRATIONALLY PENALIZED.

5. I SUGGEST THAT WE IMMEDIATELY DISCUSS WITH THE CONGRESSIONAL LEADERSHIP WAYS IN WHICH EQUIPMENT USED FOR PURELY SCIENTIFIC PURPOSES BY AN INTERNATIONAL ORGANIZATION (NOT REPEAT NOT A CHILEAN ENTERPRISE) CAN BE EXEMPTED FROM THE ARMS EXPORT CONTROL ACT PROHIBITIONS. OUR U.S. OBSERVATORIES SHOULD BE SIMILARLY PRIVILEGED. MEANWHILE, IF IT IS NOT TOO LATE, I HOPE THAT A DECISION ON THE IMAGE DISSECTOR FOR ESO CAN BE DEFERRED.
POPPER

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